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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,758	03/29/2001	Takashi Yamamoto	35.C15234	2682

5514 7590 09/18/2006

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NEW YORK, NY 10112

EXAMINER
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LAO, LUN YI

ART UNIT	PAPER NUMBER
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2629

DATE MAILED: 09/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/819,758

Applicant(s)

YAMAMOTO ET AL.

Examiner

Lao Y Lun

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) 6-10 and 16-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 11-15 and 19-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 11-15 and 19-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wachter(6,469,633) in view of Hahm(5,949,351).

As to claims 1-5, 11-15 and 19-23, Wachter teaches a communication system comprising a control apparatus(2,4); a control apparatus(2, 4)(see figure 1 and column 4, lines 33); an operation apparatus(remote control, 1)(see figures 1 and 3) having a first operation unit(17, 20) for operating the operation panel(see figures 5-9, a control mode) and a second operation unit(18, 19) for operating a specific function(e.g. Volume Up or Volume Down) of the controlled apparatus(12-15)(see figures 1, 2, 4; column 5, lines 3-37 and column 7, lines 1-6) and the control apparatus(2,4) having a receiving unit(1) for receiving a control signal from the operation apparatus(remote control, 1)(see figure 1 and column 4, lines 21-46); a control unit(2, 4) for determining whether to transmit a first command for operating the operation panel(see figures 5-9; a control mode) and

Art Unit: 2629

a second command for operating specific function(Volume Up or Volume Down) to the controlled apparatus(12-15)(see figures 1-10; column 4, lines 21-33; column 5, lines 25-50 and column 7, lines 1-6). Wachter teaches the control unit(remote control, 1) is adapted to transmit the first command from the control apparatus(2, 4) to the controlled apparatus(12-15), if it is determined that the first operation unit(17, 20) is being operated, and to transmit the second command from the control apparatus(2, 4) to the controlled apparatus if it is determined the the second operation unit is being operated(see figures 1, 2-4; column 5, lines 25-68; column 6, lines 1-64 and column 7, lines 1-6).

Wachter fails to disclose a control apparatus for receiving an operation panel from a controlled apparatus.

Hahm teaches a control apparatus(2, 4)(see figure 1) adapted to receive an operation panel(150, see figures 1, 5, 8) for operating the operating a controlled apparatus(e.g 120, 130, 140, see figure 1) from the controlled apparatus(120, 130, 140)(see figures 1-8, 11; abstract; column 3, lines 56-68; column 4, lines 1-44; column 5, lines 34-68 and column 6, lines 1-33). It would have been obvious to have modified Wachter with the teaching of Hahm, so several controlled apparatus are easily integrated and controlled by a control system(see abstract) and Wachter teaches a control apparatus(2, 4) could have two-way communication with a controlled apparatus(see figures 1, 4 and column 6, lines 38-63).

As to claims 2,12 and 20, Wachter as modified teach the control apparatus(2,4) for determine which one to the plural display elements(see

Art Unit: 2629

figures 5-9) in the operation panel is operated(see figures 1-9; column 5, lines 25-68; column 6, lines 1-37; Hahm's figures 8-10; column 6, lines 19-65).

As to claims 3, 13 and 21, Wachter as modified teach the control apparatus(2,4) is adapted to determine whether or nor to move a cursor on the display panel(see figures 1, 5-9; column 5, lines 38-50 and column 6, lines 17-49).

As to claims 4, 14 and 22, Wachter as modified teach the control apparatus(2, 4) to transmit a second command(e.g. Volume Up, Volume Down) to the controlled apparatus(12-15) even the display panel is not display on the display unit(4)(see figures 1, 4 and column 7, lines 1-6).

As to claims 5, 15 and 23, Wachter as modified teach the control apparatus(2,4) is adapted to change the operation panel according to data transmitted from the control apparatus(see Wachter's figure 5-9; and Hahm's figures 1, 5-10; abstract; column 5, lines 34-68; column 6, lines 1-65).

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-5, 11-15 and 19-23 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lopresti et al(5,889,506) teach a controller for audio, video and multimedia equipment having on-screen display.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lun-yi Lao whose telephone number is 571-272-7671. The examiner can normally be reached on M-F.

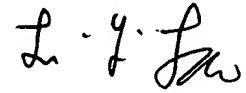
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 12, 2006

Art Unit: 2629

**Lun-yi Lao**  
**Primary Examiner**

A handwritten signature in black ink, appearing to read 'L. Y. Lao', written in a cursive style.